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Board Meeting Board Office—Suite 404 April 27, 2016

Members Present: James Birchem, LNHA, Chair
Katie Davis, LNHA
Nathan Johnson, LNHA
Jane Pederson, MD
Jennifer Pfeffer, LNHA
Michael Tripple
Marilyn Reiersen, Public Member

Members Absent: Ann Tagtmeyer, Public Member Nancy Tuders, RN Secretary
Robert Held, LNHA-DHS ex-officio

Staff: Randy Snyder, Executive Director Jessica Schultz, Office Manager
Nick, AAGO

Guests: Sean McCarthy

1. Call to Order was made by Chair Birchem at 10:01AM.
2. Additions to and Approval of Agenda
A short presentation about criminal background checks presented by Sean McCarthy from the CBC office was added to the agenda. *A motion to approve the agenda as presented was made by Pfeffer and seconded by Tripple. The question was called and the motion was approved unanimously.*

Approval of Minutes from January 27, 2016 meeting.

No additions to the minutes were noted. *A motion to approve the minutes as presented was made by Tripple and seconded by Davis. The question was called and the motion was approved unanimously.*

Sean McCarthy spoke to the board regarding the processing of avoiding duplicative effort and improving efficiency during the process if complying with the criminal background check requirement, effective January 1, 2018. He mentioned that Federal Rap Back would be the most ideal process to incorporate current licensees without duplicative effort. It was suggested that any changes that the Board felt needed to be made should be approached through a pilot study or exemptions.

A motion to establish an Ad Hoc committee appointed by Chair Birchem to assess and research the implications of the legislated criminal background check studies for licensees and applicants was made by Tripple and seconded by Reiersen. A vote was called and passed unanimously.

The Ad Hoc committee was appointed as follows: Tripple, Johnson, and Davis, with McCarthy and a representative from DHS to serve as content professionals.

"Your role is to protect the public, not the profession", Senator Kathy Sheran, February, 2015

3. The committee reviewed five new complaints and nine open cases at the meeting for the period of October 16, 2015 to January 15, 2016, with one appearance.

- Upon review, the committee directed:
- Dismissed with review of LNHA actions and currently MDH compliant: **8**
- Review/Accept work on Agreement of Corrective Action; **1**
- Hold for MDH compliance date: **1**
- Letter of Inquiry: **1**
- Recommend AAG Investigations: **1**
- Scheduled Conferences **0**
- HPSP **0**
- Recommended ACA following Conference; **1**
- Final review of Stipulation and Order: **1**

The next committee meeting will take place on January 27, 2016, with no appearances.

4. The Licensure/Education Committee report was delivered by Snyder in the absence of Tagtmeyer, Committee Chair.

Licensure Report January 15, 2016 to April 15, 2016

The presented report displayed a total of 885 active licensees as of April 15, 2016, eight acting permits, 105 applicants, and thirty educational reviews.

A report was given by Schultz regarding the high occurrence of Administrator of Record changes in the past six month period. After Board discussion, Snyder will follow up with facilities indicated on the report to offer support to administrator.

Waiver of Course Requirement/Courses Denied Reports January 15, 2016 to April 15, 2016

No courses were presented.

New Licensees Report January 15, 2016 to April 15, 2016

Eleven new licenses were reported for the period of January 15, 2016 to April 15, 2016

Acting Permits Issued Report January 15, 2016 to April 15, 2016

One Acting Permit was issued for the period of January 15, 2016 to April 15, 2016

CE Approval Appeal:

A request for reconsideration of the determination for denial of continuing education hours submitted by Jeff Sprinkel was reviewed. The Board discussed the application for continuing education review, received April 4, 2016, and determined that a portion of the content submitted did fall into requirements outlined in the NAB Domains of Practice, Domain 20 – Human Resources, task section 20.03. It was determined that part of the content submitted, in a general nature, could “establish the planning, development, implementation, monitoring, and evaluation of employee training and development programs”.

A request was made by the Board for future submissions of continuing education content not previously

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approved to be complaint with State Rules 6400.6850, be submitted prior to taking part in the course/event, if the intent was to use the content to satisfy the renewal CE requirement. The members present reiterated Board Rule 6400.6850, subjects for continuing education which will not be accepted to meet license renewal requirements include, but are not limited to, general personal development including stress management, facility or company orientation, facility or company policies or procedural issues, organizational functions such as business meetings and election of officers, and medical treatment at a clinical level beyond that required for licensure as a nursing home administrator.

A determination that no more than five (5) hours of the twenty hours submitted were applicable to the practice of Nursing Home Administration as outlined in the NAB Domains of practice.

A motion to approve five (5) hours of content was made by Pederson and was seconded by Pfeffer. The question was called and the motion passed.

Academic Program HSE Requirements Meetings

A proposal was made to meet with each academic program on a 1:1 basis to discuss the new HSC requirements and implementation of the requirements into the pre-approved curriculum. A suggestion to invite each program to the Board office before the October board meeting was made. ***Birchem appointed Reiersen as chair of the Education committee and requested that she be available to sit in on the meetings with Snyder.***

5. Rulemaking Update:

An update was given by Snyder in the absence of Murphy. Dual notice is prepared to be sent to the Office of Administrative Hearings. A hearing date will be set for mid-August that may be cancelled if the proposed Rules do not have at least 25 comments within a 30-day period.

6. Action Items (All action items should have board discussion, conclusion and direction:

Assistant Administrator Waiver Application was reviewed for content and best practices. It was suggested to add an operating budget to the requirements on the form and to have the Administrator of Record sign the form.

Shared Administrator Application was reviewed for content and best practices. A suggestion to add a signature of the owner or board chair of the facility was made, as well as an area to have the applicant explain the benefits and opportunities presented as a shared administrator and to outline their sufficient presence as a result of distance between the facilities.

Discussion took place to include a statement of the use of a mentor to the Acting Permit application. Draft language was presented to include a signature of the mentor. ***A motion to approve the inclusion of a statement of mentorship and signatures from both the candidate and the mentor on the Acting Permit application was made by Pfeffer and seconded by Johnson. A vote was called and the motion passed.***

Instruction was made to update the aforementioned forms and prepare them for publication by July 1, 2016.

Brief statutory revision discussion took place regarding updating language relevant to shared administrator, name changes, acting permit. The item will be tabled until the July Board Meeting.

7. Executive Director's Report

The terms of Birchem and Tagtmeyer ended on January 4, 2016. Tagtmeyer announced that she would not be seeking reappointment. Birchem's term will run until reappointed or until new appointments are made.

The NAB Annual Meeting will be held in Cleveland on June 8-10, 2016. Davis and Snyder will be attending as NAB members. A delegate from Minnesota has the ability to attend. Johnson and Birchem showed interest.

8. Consent Items:

The financials (revenues and expensed) for the previous quarter of FY16 were presented to the board. No comment was made.

9. Other Business and Adjournment

No additional comment was made.

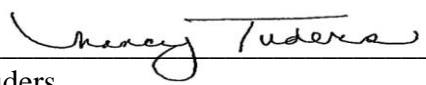
10. BENHA approved meeting 2016 dates,

The next meeting will be July 27, 2016

A motion to adjourn the meeting was made at 12:12 PM by Tripple and seconded by Johnson. A vote was called and the motion passed unanimously.

The next Board meeting will be held at the Board office on July 27, 2016.

Recorder: , Date: 07/27/2016
Jessica Schultz
Office Manager

Attest: , Date: 07/27/2016
Nancy Tuders
Board Secretary